



DEPARTMENT OF THE NAVY
BUREAU OF NAVAL PERSONNEL
5720 INTEGRITY DRIVE
MILLINGTON TN 38055-0000

5720
PERS 00J6/20200346
April 3, 2020

Mr. Joseph McMullen
Law Offices of Joseph M. Mullen
501 W. Broadway
Suite 1510
San Diego, CA 92101

Dear Mr. Mullen:

SUBJECT: YOUR FREEDOM OF INFORMATION ACT (FOIA) REQUEST

This is in response to your Freedom of Information Act (FOIA) request of March 30, 2020. You seek a copy of all materials created or modified between March 2011 and March 2013 regarding the administration of the Traumatic Servicemembers Group Life Insurance (TSGLI) program, used for any training, presentations, or information-sharing purposes, including but not limited to materials used for any training, presentation, or information-sharing purposes within the Department of the Navy by TSGLI Program Manager Mary Koontz, who is based at the Navy Personnel Command, 5720 Integrity Drive, Millington, TN 38055. This command received your request on April 2, 2020. Your FOIA request number is 2020-006319 and FOIA correspondence file number is 20200346.

A copy of available responsive documentation is enclosed. Should you wish to discuss the processing of your request, you may contact the undersigned at david.german@navy.mil or (901) 874-3165. You may also contact the DON FOIA Public Liaison, Christopher Julka, at Christopher.a.julka@navy.mil or (703) 697-0031. Further, you may contact the Office of Government Information Services (OGIS) as they provide a voluntary mediation process for resolving disputes between persons making FOIA requests and the Department of the Navy (DON). For more information, please go to: <https://www.archives.gov/ogis/about-ogis/contact-information>.

Sincerely,

D. P. GERMAN
FOIA/PA Officer
By direction

TSGLI Legal Reference:

- 38 USC 1980A
 - Provides general framework for TSGLI, authorizes SECVA to promulgate regulations to implement program.
- 38 CFR 9.20
 - Provides the key requirements for TSGLI
 - Sets VA and military roles
- TSGLI Procedures Guide
 - Operating manual for TSGLI Offices
 - Available online at www.benefits.va.gov/insurance

DoD Guidance:

-OPNAVINST 1770.3A (OPNAVINST 1770.3 during March 2011-March 2013)



DEPARTMENT OF THE NAVY
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
2000 NAVY PENTAGON
WASHINGTON, D.C. 20350-2000

OPNAVINST 1770.3
N135
9 Sep 09

OPNAV INSTRUCTION 1770.3

From: Chief of Naval Operations

Subj: TRAUMATIC INJURY SERVICEMEMBERS' GROUP LIFE INSURANCE

Ref: (a) Public Law 109-13, Section 1032 (portions of which
are codified at 38, Sections 1965, 1980A, U.S.C.)
(b) Department of Veterans' Affairs (DVA) TSGLI
Procedures Guide
(c) SECNAVINST 1770.4

1. Purpose. To delineate the organizational responsibilities required to manage and administer the Navy's Traumatic Injury Servicemembers' Group Life Insurance (TSGLI) Program.

2. Background. Reference (a) established traumatic injury protection under the auspices of the Servicemembers' Group Life Insurance (SGLI) Program, effective 1 December 2005. TSGLI provides traumatic injury protection for all uniformed Service members who have SGLI coverage. TSGLI pays a specified monetary benefit for losses incurred by Service members as a result of a traumatic event. The insurance proceeds are paid to the injured Service member or their designated SGLI beneficiary(s) if the member dies prior to receiving payment. The Assistant Secretary of the Navy (Manpower and Reserve Affairs) is responsible for the overall policy and execution of the TSGLI Program. The Chief of Naval Operations is responsible for establishing detailed written procedures and instructions, as well as establishing a training program for individuals who are required to provide assistance in the claims process.

3. Discussion. The purpose of the TSGLI Program is to provide financial assistance to Service members and their families who suffer a qualifying loss as outlined by the Department of Veterans' Affairs (DVA) in reference (b) which is available at <http://www.insurance.va.gov/sgliSite/legislation/TSGLIFacts.htm> or <http://www.npc.navy.mil/CommandSupport/CasualtyAssistance>.

4. Responsibility

a. Office of the Chief of Naval Operations (OPNAV), Head, Navy Casualty Assistance/Navy-Marine Corps Mortuary Section (N135C) shall:

- (1) Administer and execute the TSGLI Program for both Active and Reserve Component Service members as directed by references (a) through (c).
- (2) Notify Service members of the provisions of the insurance program, including automatic coverage, via Navy policy documents, media, command training and by any other means available.
- (3) Receive, review, process and adjudicate the SGLV 8600 Traumatic Injury Protection Claim Form/Application for TSGLI Benefits (and subsequent versions) consistent with reference (b).
- (4) Establish and maintain liaison with various Department of Defense organizations, the DVA, and the Office of Servicemembers' Group Life Insurance (OSGLI) to facilitate program management and claims adjudication.
- (5) Act as first level appeal/reconsideration adjudication authority.
- (6) Develop, review and provide training materials to the Bureau of Medicine and Surgery (BUMED), Navy Military Treatment Facilities (MTFs), Commanding Officers (COs), Officers in Charge (OICs), and Service members to facilitate accurate claims submission while enhancing TSGLI program awareness throughout the fleet. The development and review of all TSGLI training material will be conducted in cooperation with the DVA, BUMED, and OSGLI.
- (7) Receive and review Personnel Casualty Reports for potential TSGLI qualifying losses. Conduct an aggressive outreach program to contact traumatically injured Service members, their advocates and their commands, as appropriate, to discuss the program and the claims submission process.
- (8) Maintain an electronic database to monitor Navy TSGLI claims activity and maintain records of all claims received or processed. The database will include sufficient

information to generate various reports including hostile or non-hostile events, a breakdown of scheduled losses, claims approved or disapproved, amount paid, as well as the time required to process claims. Copies of all SGLV 8600s and supporting documentation must be maintained for 7 years.

b. Navy Personnel Command (NAVPERSCOM) shall:

(1) Provide OPNAV (N135C) the necessary administrative or legal support from NAVPERSCOM, Office of Legal Counsel (PERS-00J), when requested, to support the TSGLI Program and assist in the processing of the SGLV 8600.

(2) Provide OPNAV (N135C) medical advisory opinions from NAVPERSCOM, Career Progression Department (PERS-8), when requested, to substantiate whether an injured Service member has suffered a qualifying loss as defined in reference (b).

c. BUMED shall:

(1) Ensure each Navy MTF designates, in writing, a TSGLI program coordinator who will be located within the Patient Administration Department. This coordinator will be the MTF point of contact and will publish local program guidance which outlines eligibility criteria, promotes program awareness, and provides a mechanism to support Service members, their families and the clinical staffs who are involved in the claims process.

(2) Ensure each Navy MTF designates a local TSGLI coordinator who will have programs in place to inform Service members of the existence of the TSGLI Program, the automatic coverage features, and the association between declining basic SGLI coverage and TSGLI eligibility.

(3) Each Navy MTF will designate, in writing, a TSGLI clinical champion who will assist Service members and their families in the completion and filing of new or retroactive TSGLI claims.

(4) Ensure each Navy MTF's patient administrative officer receives up-to-date TSGLI training, as provided by OPNAV (N135C) and the DVA, as well as refresher training at the annual Patient Administrative Symposium or through other sources available online.

(5) Ensure each Navy MTF establishes a TSGLI training/orientation program for their assigned physicians, nurses, and administrative personnel who are directly involved with traumatically injured Service members or their families. This training/orientation will focus on eligibility criteria, obtaining the SGLV 8600, identification of required supporting documentation, and the claims submission process.

(6) Ensure each Navy MTF provides traumatically injured Service members and their families the administrative support necessary to file a TSGLI claim. Such assistance may include obtaining the SGLV 8600 and required medical documentation/information, or any other assistance they may require to file a claim or respond to a claim that is denied. Assist OPNAV (N135C), if requested, by providing additional documentation/information necessary to adjudicate TSGLI claims.

(7) Provide OPNAV (N135C) medical advisory opinions, when requested, to substantiate whether an injured Service member has suffered a qualifying loss as defined in reference (b).

(8) Establish a partnership with OPNAV (N135C) in the development of a TSGLI training curriculum and maintain up-to-date program information and material.

(9) Provide training and assistance to patient administration officers and assigned clinicians regarding TSGLI qualification criteria and the claims submission process. This training shall include those types of medical documentation which are required to substantiate a qualifying loss.

(10) Ensure Navy MTFs, and other MTFs, provide the required medical documentation to traumatically injured Service members or OPNAV (N135C), as requested, under either the Privacy Act of 1974 or the Health Insurance Portability and Accountability Act of 1996.

(11) Ensure OPNAV (N135C) and traumatically injured Service members are provided the required administrative support to process or file accurate and timely TSGLI claims.

(12) Ensure Navy MTFs designate a point of contact for all matters relating to the TSGLI Program and assist traumatically injured Service members and their families, if required, in completing and filing an SGLV 8600.

d. OPNAV (N12), Safe Harbor Representatives shall:

(1) As the focal point for the non-medical case management of severely wounded, ill, or injured Service members and their families, provide for a lifetime of care, support and assist Service members through recovery, rehabilitation, and reintegration. Safe Harbor representatives can be contacted toll free at 1-877-746-8563 or via e-mail at safeharbor@navy.mil or <http://www.npc.navy.mil/CommandSupport/SafeHarbor/>.

(2) Provide counseling about the TSGLI Program to all traumatically injured Service members under their charge.

(3) Provide assistance to all traumatically injured Service members who potentially qualify for a TSGLI payment.

e. Commanders, COs, and OICs shall:

(1) Inform Service members under their command or charge of the existence of the TSGLI Program and assist them, if necessary, in filing an SGLV 8600.

(2) Provide counseling and administrative assistance to any Service member under their command or charge who suffers a traumatic injury or who may have a TSGLI qualifying loss.

f. Traumatically injured Service members (or their legal guardian) who feel they have suffered a qualifying loss under the TSGLI Program shall submit an SGLV 8600 as soon as they are able.

5. Denials, Appeals, and Reconsiderations. If an injured Service member's SGLV 8600 is denied, they have the right to request an appeal. The issue being appealed by an injured Service member determines which organization will receive and act on the appeal.

a. An SGLV 8600 that is denied by OPNAV (N135C), for any reason other than determination of enrollment under basic SGLI at the time of the traumatic event, is subject to four levels of administrative/appeal review.

(1) A first level administrative review or reconsideration is conducted by OPNAV (N135C).

(2) Second and third level administrative reviews and appeals are conducted by the Secretary of the Navy, Council of Review Boards (CORB) at:

SECNAV Council of Review Boards
720 Kennon Street SE Room 309
Washington Navy Yard, DC 20374-5023

(3) Fourth level administrative reviews are conducted by the Board for Correction of Naval Records (BCNR).

Board for Correction of Naval Records
2 Navy Annex
Washington DC 20370-5100

b. The Navy's TSGLI appeals process guidelines are contained in reference (c).

c. Appeals involving basic SGLI insurance coverage at the time of the traumatic event will be submitted directly to OSGLI at:

Office of Servicemembers' Group Life Insurance
80 Livingston Avenue
Roseland NJ 07068-1733

Facsimile: (800) 263-6142 or (877) 832-4943

d. Reference (b) contains a list of decisions which have previously been appealed to the Military Services, including: failure to meet the loss requirements under TSGLI; claimed loss not the direct result of a traumatic event; or, loss was due to a physical or mental illness or disease other than those covered under TSGLI.

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e. All reconsiderations/appeals must contain the following:

- (1) Identifying information of the injured Service member (i.e., name, address, and social security number).
- (2) Reason(s) why the injured Service member disagrees with the initial determination.
- (3) Additional documentation to support their SGLV 8600 (i.e., medical record, physical evaluation board findings, legal or police records, etc.).
- (4) Written comments, documents, records and any other information related to their SGLV 8600 which can substantiate their appeal.

f. All reconsiderations/appeals submissions should be submitted to:

(1) First level reconsiderations:

Navy Casualty Assistance/Navy-Marine Corps Mortuary
OPNAV (N135C)
ATTN: TSGLI Program Manager
5720 Integrity Drive
Millington TN 38055-6210

Facsimile: (901) 874-2265/DSN 882

E-mail: mill tsqli@navy.mil

(2) Second through fourth level appeals or reviews will be submitted directly to the CORB or BCNR as outlined above and in reference (c).

6. Matrix data is compiled by the DVA based on information submitted from the respective Services and OSGLI.

7. Point of Contact. The TSGLI program manager can be reached at 1-800-368-3202, commercial: (901) 874-2501/DSN 882, via facsimile at (901) 874-2265/DSN 882, or e-mail mill tsqli(at)navy.mil.

8. Records Management. Records created as a result of this instruction, regardless of media and format, shall be managed per Secretary of the Navy (SECNAV) Manual 5210.1 of November 2007.

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9. Form. SGLV 8600 (Oct 08) Traumatic Injury Protection Claim Form/Application for TSGLI Benefits and instructions for completing the SGLV 8600 can be obtained at <http://www.insurance.va.gov/sqliSite/legislation/TSGLIFacts.htm> or <http://www.npc.navy.mil/CommandSupport/CasualtyAssistance>.

10. Reports Control. Reports contained within this instruction are exempt from report control per SECNAV Manual 5214.1 of December 2005.



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